

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75093 of 2019

Arising Out of PS. Case No.-925 Year-2019 Thana- BIHTA District- Patna

CHANDAN KUMAR Son of Bhushan Prasad Resident of Village - Samastha
Asthan, P.S. and P.O.- Bihta, District – Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Bihta P.S. case No. 925 of 2019, Special (Excise) Case No. 8915 of 2019** instituted for the offence under Section(s) 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is submitted by the petitioner's counsel that the recovery is attributed to co-accused Vikash Kumar @ Kariba. The petitioner has no concern with the same and said Vikash Kumar @ Kariba has already been granted the privilege of bail by Co-ordinate Bench of this Court under order dated 21.11.2019, passed in Cr. Misc. No. 73576 of 2019. It has



further been submitted that petitioner is on bail in other three cases pending against him, as per disclosure made in paragraph no.3 of the bail petition. There is no recovery whatsoever from the petitioner's possession and offences are not made out.

Petitioner is in custody since 08.10.2019.

Learned APP for the State opposed the prayer for bail.

For the limited purpose of grant of bail this Court is inclined to accept the submission of counsel for the petitioner.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the **Spl. Judge, Excise, Patna**, in connection with **Bihta P.S. case No. 925 of 2019, Special (Excise) Case No. 8915 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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